

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David A. Edwards, Giovanni Caponetti, Jeffrey S. Hrkach, Noah Lotan
Justin Hanes, Abdellaziz Ben-Jebria and Robert S. Langer

Application No.: 10/090,418 Group: 1617
Filed: March 1, 2002 Examiner: Bahar, M.
Confirmation No.: 8180

For: AERODYNAMICALLY LIGHT PARTICLES FOR PULMONARY
DRUG DELIVERY

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>3-24-03</u>	<u>Hollie Wakefield</u>
Date	Signature
<u>HOLLIE WAKEFIELD</u>	
Typed or printed name of person signing certificate	

RESPONSE

Box NON-FEE Amendment
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

Applicants' Attorney recently received a telephone call from Examiner Mojdeh Bahar, regarding absence of a response in the file wrapper to a Reply to the Restriction Requirement, mailed on August 27, 2002, from the U.S. Patent and Trademark Office. A Reply was due on September 27, 2002. Applicants' Attorney did file the Reply to the Restriction Requirement on September 26, 2002 and found other documents missing from the U.S. Patent and Trademark Office.

Enclosed is a copy of our PAIR Search. The response to the Notice to File Missing Parts was received at the U.S. Patent and Trademark Office on June 21, 2002, and a Restriction Requirement was issued on August 27, 2002, by the Examiner.

However, the PAIR Search does not acknowledge that the U.S. Patent and Trademark Office received the following documents:

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Date filed, each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:	Returned Postcard Date Stamped by U.S. Patent and Trademark Office	Documents Filed
September 26, 2002	October 2, 2002	Reply to Restriction Requirement and Preliminary Amendment; and Marked up Version of Amendment.
September 26, 2002	October 2, 2002	Information Disclosure Statement, PTO-1449 Forms, pages 1-4 and Copy of the International Search Report (ISR); and Copy of U.S. Application 10/209,654 (Docket No: 2846.1001-031).
September 26, 2002	October 2, 2002	Request for Corrected Filing Receipt, Copy of Filing Receipt with changes noted in red; and Copy of the Restriction Requirement and Preliminary Amendment.

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Enclosed are copies of the reply to the Restriction Requirement and Preliminary Amendment, Marked Up Version of Amendment (page i); Information Disclosure Statement (IDS), including PTO-1449 forms, Copy of International Search Report, Copy of U.S. Application 10/209/654; and Request for Corrected Filing Receipt, Copy of Filing Receipt with changes noted, Copy of Restriction Requirement and Preliminary Amendment; and postcards, which were mailed to the U.S. Patent and Trademark Office on September 26, 2002.

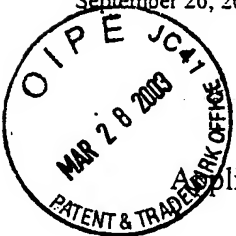
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne I. Craig
 Anne I. Craig
 Registration No. 32,976
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Concord, MA 01742-9133

Dated: 3/24/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

David A. Edwards, Giovanni Caponetti, Jeffrey S. Hrkach, Noah Lotan,
Justin Hanes, Abdellaziz Ben-Jebria and Robert S. Langer

Application No.: 10/090,418

Group: 1617

Filed: March 1, 2002

Examiner: Bahar, M.

Confirmation No.: 8180

For:

AERODYNAMICALLY LIGHT PARTICLES FOR PULMONARY
DRUG DELIVERY

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on <u>9-2002</u>	<u>Hollie Wakefield</u>
Date	Signature
<u>HOLLIE WAKEFIELD</u>	
Typed or printed name of person signing certificate	

COPY

REQUEST FOR CORRECTED FILING RECEIPT
FOR UTILITY APPLICATION

Office of Initial Patent Examination
Customer Service Center
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

We hereby request that the following items of information be corrected in the Filing Receipt for the subject application received in this office on July 8, 2002.

An error/inconsistency in priority data regarding continuing Application No. 10/090,418, filed March 1, 2002, has been noted by an "*" in the filing receipt for said application.

The errors and corrections appear below.

Domestic Priority Data as Claimed by Applicant

This Application is a Con of 09/194,068, filed 04/08/1999 which is a 371 of PCT/US97/08895, filed 04/08/1999, which is a CIP of 08/655,570, filed 05/24/96, now abandoned, which is a CIP of 08/739,308, filed 10/29/96, now U.S. Patent 5,874,064.

Enclosed are copies of the Filing Receipt with changes noted in red and a copy of the Preliminary Amendment which is being filed concurrently herein.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne I. Craig

Anne I. Craig

Registration No.: 32,976

Telephone: (978) 341-0036

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Concord, MA 01742-9133

Date: 9/26/02



UNITED STATES PATENT AND TRADEMARK OFFICE

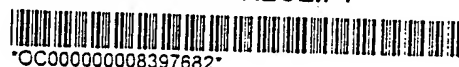
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/090,418	03/01/2002	1619	954	2846.1001-028	4	18	4

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

CONFIRMATION NO. 8180

UPDATED FILING RECEIPT



OC000000008397682

Date Mailed: 07/03/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David A. Edwards, Boston, MA;
Giovanni Caponetti, Piacenza, ITALY;
Jeffrey S. Hrkach, Somerville, MA;
Noah Lotan, Haifa, IL;
Justin Hanes, Baltimore, MD;
Abdellaziz Ben-Jebria, State College, PA;
Robert S. Langer, Newton, MA;

Assignment For Published Patent Application

The Penn State Research Foundation, University Park, PA;
Massachusetts Institute of Technology, Cambridge, MA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/194,068 04/08/1999
WHICH IS A 371 OF PCT/US97/08895 05/23/1997

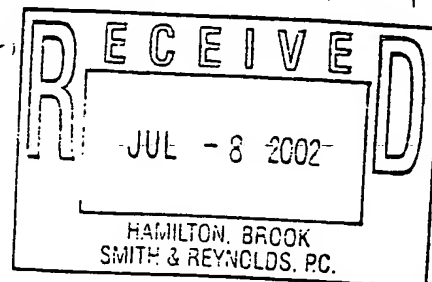
Foreign Applications

If Required, Foreign Filing License Granted 04/13/2002

Projected Publication Date: 10/10/2002

Non-Publication Request: No

* 04/31/1999, * which is a CIP of 08/655,570
filed 5/24/96, now abandoned,
which is a CIP of 08/739,308,
filed 10-29-96,
now US
PATENT
5,377,004



Early Publication Request: No

Title

Aerodynamically light particles for pulmonary drug delivery

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

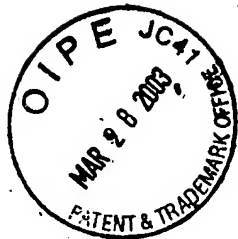
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



COPY

Initials: AIC/LMC/JCZ/lma(hw) Docket No.: 2846.1001-028 Date: September 26, 2002

This is to acknowledge receipt of the following documents each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:

- ☒ INFORMATION DISCLOSURE STATEMENT ___ w/copy
- ☒ Form PTO-1449 pp 4 ___ with references as noted in 1449
- ☐ Check for \$ ___ Authorization to Charge all Fees
- ☒ Copy of International Search Report
- ☒ Reply to Restriction Requirement and Preliminary Amendment
- ☒ Marked Up Version of Amendments (i)
- ☒ Other: Copy of U.S. Appl. 10/209,654; Docket No. 2846.1001-03

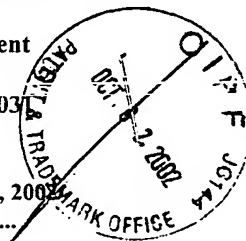
Applicants: David A. Edwards *et al.*

Application No.: 10/090,418

Filed: March 1, 2002

Title: AERODYNAMICALLY LIGHT PARTICLES FOR

Date received by the PTO:



Doc. #: 337493

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Initials: AIC/LMC/JCZ/lma(hw) Docket No.: 2846.1001-028 Date: September 26, 2002

This is to acknowledge receipt of the following documents each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:

☒ REQUEST FOR CORRECTED FILING RECEIPT
☒ Copy of Filing Receipt with changes noted in red
☒ Other: Copy of Preliminary Amendment

Applicants: David A. Edwards *et al.*

Application No.: 10/090,418 Filed: March 1, 2002

Title: AERODYNAMICALLY LIGHT PARTICLES FOR...

Date received by the PTO:

Doc.# 343804

